1 2 3 4 5 6 7 8 9 10 11 12 13	Ronald S. Logar, Esq. (SBN: 00303) Eric A. Pulver, Esq. (SBN: 07874) LAW OFFICE OF LOGAR & PULVER, PC 225 S. Arlington Avenue Suite A Reno, Nevada 89501 Telephone: (775) 786-5040 Facsimile: (775) 786-7544 Deborah A. Klar, Esq. (SBN: 124750) Teri T. Pham, Esq. (SBN: 193383) Ryan M. Lapine, Esq. (SBN: 239316) LINER YANKELEVITZ SUNSHINE & REGENSTREIF LLP 1100 Glendon Avenue, 14th Floor Los Angeles, California 90024-3503 Telephone: (310) 500-3500 Facsimile: (310) 500-3501 Attorneys for Plaintiffs Dennis Montgomery and the Montgomery Family Transport of the Montgomery Fami	
14	DISTRICT OF NEVADA	
15	,	
16 17	DENNIS MONTGOMERY, an individual; and) MONTGOMERY FAMILY TRUST, a California) Trust,	Case No. 3:06-CV-00056-PMP-VPC BASE FILE
18	Plaintiffs,	3:06-CV-00145-PMP-VPC
19	vs.	RESPONSE TO MICHAEL J. FLYNN'S UNAUTHORIZED SUR-REPLY AND
20 21	eTREPPID TECHNOLOGIES, LLC, a Nevada) Limited Company; WARREN TREPP, an) individual; and DOES 1 through 10,	SUPPLEMENTAL DECLARATION IN SUPPORT OF MOTION TO WITHDRAW
22	Defendants.	.,
23)	
24	AND RELATED CASES.	•
25)	
26	Dennis Montgomery, Brenda Montgomery and the Montgomery Family Trust ("the	
27	Montgomerys") respectfully submit this brief response for the purpose of objecting to the	
28	unauthorized sur-reply and supplemental declaration filed by Michael J. Flynn in these	

0039641/001/359919v01

1 consolidated matters. Mr. Flynn has been terminated as counsel of record in this matter and new 2 counsel for the Montgomerys have appeared. To the extent there are any orders and rulings in 3 place governing the conduct of counsel or the parties in these actions, new counsel will continue to be bound by those orders and rulings. Mr. Flynn accordingly lacks standing to assert any claims or 4 5 issues in these matters. As Mr. Flynn acknowledges in his recent supplemental declaration, there is presently an action pending in the United States District Court for the Central District of California addressing any issues concerning the attorney-client relationship between Mr. Flynn and the 8 Montgomerys. There is no pending case or controversy between Mr. Flynn and the Montgomerys before this Court, and the Montgomerys respectfully request that the Court confirm Mr. Flynn's 10 termination and disregard any extraneous issues not properly before this Court. 11 Dated: August 16, 2007 Respectfully submitted, 12 LINER YANKELEVITZ SUNSHINE & REGENSTREIF LLP 13 14 15 Deborah A. Klar Teri T. Pham 16 Attorneys for Plaintiffs Dennis Montgomery and the Montgomery 17 Family Trust 18 19 20 21 22 23 24 25 26 27 28

CERTIFICATE OF SERVICE 1 2 Pursuant to NRCP 5(b), I certify that I am an employee of the LAW OFFICE OF LOGAR & PULVER, PC, and that on the 17th day of August 2007, I 3 deposited for mailing in the U.S. Mail, with sufficient postage affixed thereto 4 5 sent via Federal Express or other overnight delivery service delivered via facsimile machine to fax number: 6 7 personally delivered 8 caused to be delivered via Reno-Carson Messenger Service 9 the foregoing document addressed to: 10 Jerry M. Snyder, Esq. Hale Lane Peek Dennison and Howard 11 5441 Kietzke Lane, Second Floor 12 Reno, NV 89511 13 and 14 Carlotta P. Wells, Esq. U.S. Department of Justice 15 P.O. Box 883 Washington, DC 20044 16 17 ZACHARY DRAPER 18 for the Law Office of Logar & Pulver, PC 19 20 21 22 23 24 25 26 27 28